

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

NICKEL AND DIMES  
INCORPORATED,

Plaintiff,

v.

NOAH'S ARCADE, LLC, et al.,

Defendants.

CASE NO. 3:23-CV-699-DRL-MGG

**ORDER**

On August 9, 2023, Defendants filed their Notice of Initial Extension of Time. [DE 8]. N.D. Ind. L.R. 6-1(b)(1)-(3) allows for automatic initial extensions of deadlines to respond to a pleading

when an extension notice is filed with the court and (1) the deadline has not been extended before; (2) the extension is for 28 or fewer days; and (3) the notice states (A) the original deadline; (B) the new deadline; and (C) that all opposing attorneys the attorney could reach agreed to the extension; or that the party could not reach any other opposing attorneys despite due diligence.

Here, while Defendants' Notice satisfies most of the requirements for an automatic extension, it fails to state the original responsive pleading deadline as required by N.D. Ind. L.R. 6-1(b)(3)(A). Nevertheless, no prejudice will arise from allowing the requested extension, especially given the agreement of Plaintiff's counsel. Accordingly, Defendants' Notice of Initial Extension is **AFFIRMED**. The deadline for Defendants to file their answer or other responsive pleading is **EXTENDED** until **September 13, 2023**.

**SO ORDERED** this 10th day of August 2023.

s/ Michael G. Gotsch, Sr. \_\_\_\_\_  
Michael G. Gotsch, Sr.  
United States Magistrate Judge